IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4604 of 2002

For Approval and Signature:

HON'BLE DR.JUSTICE J.N.BHATT
and
HON'BLE MR.JUSTICE A.S.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PARESHBHAI RAMANBHAI PATEL
Versus
STATE OF GUJARAT AND ORS.

Appearance:
1. Special Civil Application No. 4604 of 2002
MR PRASHANT G DESAI for the Petitioner
MR KUNJAL PANDYA, ASSISTANT GOVERNMENT PLEADER
for Respondent No. 1
MR RR MARSHALL for Respondent No. 2
MR UI VYAS for Respondent No. 3

CORAM : HON'BLE DR.JUSTICE J.N.BHATT
and
HON'BLE MR.JUSTICE A.S.DAVE

Date of decision: 08/10/2004

ORAL JUDGEMENT

(Per : HON'BLE DR.JUSTICE J.N.BHATT)

Mr. U.I.Vyas, learned Advocate appearing for the respondent No.3-B.S.N.L, has drawn our attention to the reply filed by respondent No.3, wherein, it has been stated that the road going to Final Plot Nos.101 and 102 has already been been opened by A.U.D.A. Since A.U.D.A. did not agree to variation suggested, B.S.N.L has duly agreed to the opening of the said road. It is in this context no grievance would survive.

Mr.P.G.Desai, learned Advocate for the petitioner, has submitted that in view of this statement only, the petition may be disposed of.

In view of the aforesaid statement in the affidavit-in-reply, no grievance would survive at this stage. The petition, therefore, shall stand disposed of. Notice discharged. No order as to costs.

(DR. J. N. BHATT, J.)

(A. S. DAVE, J.)

/shamnath